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**FACSIMILE TRANSMISSION**

DATE: May 31, 2005

**FROM:**

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NUMBER OF PAGES (including this page):

8

EMAIL: swebb@soiplaw.com

**TO:**

TELEPHONE:

Mailstop: Amendment  
Commissioner for Patents  
United States Patent and  
Trademark Office

**RE:**

FAX: (703) 872-9306

Application No. 10/664,285  
Filed: 9/17/2003  
Art Unit: 3663  
Examiner: Mark Hellner  
Inv.: David Harris  
Docket No. 2314

**MESSAGE** Attached are the following:

1. Transmittal (one page);
2. Response to the Office Action dated April 28, 2005, (6 pages).

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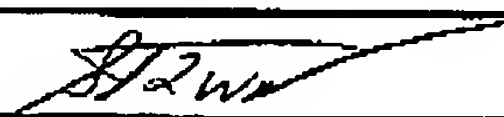
PTO/SB/21 (08-04)

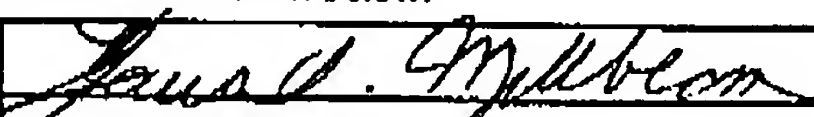
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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/664,285; Confirmation 4552	
	Filing Date	9/17/2003	
	First Named Inventor	David Harris	
	Art Unit	3663	
	Examiner Name	Mark Hellner	
Total Number of Pages in This Submission	6	Attorney Docket Number	2314

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input type="checkbox"/> Other Enclosure(s) (please identify below):
<b>Remarks</b> It is believed that no fees are due in this matter. However, if it is determined that fees are due, the Commissioner is authorized to debit Deposit Account No. 210765 for the required fees.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm	SETTER OLLILA LLC		
Signature			
Printed Name	Steven L. Webb		
Date	5/31/05	Reg. No.	44,395

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Signature			
Typed or printed name	Laura S. Mellblom	Date	5-31-05

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**Practitioner's Docket No. 2314**

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: David Harris

Application No.: 10/664,285

Group No.: 3663

Filed: 9/17/2003

Examiner: Mark Hellner

For: Temperature control in optical amplifier systems to reduce PMD fluctuations

**Mailstop: Amendment**

**Commissioner for Patents**

**P. O. Box 1450**

**Alexandria, VA 22313-1450**

**Response to Office Action**

In response to the Office Action dated 4/28/2005, please consider the following remarks.